

VZCZCXRO8558  
PP RUEHAG RUEHAST RUEHDA RUEHDBU RUEHDF RUEHFL RUEHIK RUEHKW RUEHLA  
RUEHLN RUEHLZ RUEHNP RUEHPOD RUEHROV RUEHSK RUEHSL RUEHSR RUEHVK  
RUEHYG  
DE RUEHBW #0934 2331843  
ZNR UUUUU ZZH  
P R 211843Z AUG 09  
FM AMEMBASSY BELGRADE  
TO RUEHC/SECSTATE WASHDC PRIORITY  
INFO EUROPEAN POLITICAL COLLECTIVE  
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC  
RHMFISS/HQ USEUCOM VAHINGEN GE  
RUCPDOG/USDOC WASHINGTON DC  
RUEATRS/DEPT OF TREASURY WASHINGTON DC  
RUEHBW/AMEMBASSY BELGRADE  
RUZEJAA/JAC MOLESWORTH RAF MOLESWORTH UK

UNCLAS BELGRADE 000934

SENSITIVE  
SIPDIS  
STATE FOR EUR/SCE (P. PETERSON)  
DOJ FOR CARL ALEXANDRE  
KWAC

E.O. 12958: N/A  
TAGS: [PGOV](#) [PREL](#) [SR](#)  
SUBJECT: SERBIA: WITNESS RELUCTANCE LEADS TO SLOW PROGRESS ON BYTYQI  
BROTHERS CASE

REF: 07 BELGRADE 309

Summary  
-----

[1](#)1. (SBU) The trial of two Serbian police officers for illegal detention that led to the killings of three American citizens is nearing its end response, the War Crimes Prosecutor's office amended the charges to include torture. Meanwhile, human rights advocate Natasa Kandic ended her court and no witnesses from within the police. An initiative to investigate police who may be withholding evidence or committing perjury could

Update on the Trial  
-----

[1](#)2. (SBU) The trial in Belgrade's Special Court for War Crimes against Sreten Popovic and Milos Stojanovic for the deprivation of the three Ame  
"They were just following orders"  
-----

[1](#)3. (SBU) Following months of delays, on June 26, former Police General Vlastimir Djordjevic testified as a witness by video conference from th  
Amended Indictment to Include Torture  
-----

[1](#)4. (SBU) Stankovic told us June 30 that, after Djordjevic's testimony, he suspected the defendants would be acquitted of the current charges.  
an amendment to the indictment to include torture was warranted, because the defendants' treatment of the Bytyqi brothers qualified as psycholc  
Only the Small Fish on Trial: Natasa Kandic's Withdrawal  
-----

[1](#)5. (SBU) Following a period of strained relations with Stankovic, human rights  
advocate Natasa Kandic, who had acted as a representative for the Bytyqi family, withdrew from the trial on June 9. In her resignation letter  
In her complaint, Kandic accused Stankovic of not cooperating with non-governmental organizations, including Kandic's Humanitarian Law Center,  
shared interest in documenting war crimes. Despite her criticism, Kandic's withdrawal from the court did not affect the proceedings of the tri

[1](#)6. (SBU) Contrary to Kandic's claims, there are additional investigations of those responsible for the killings. The first is a court investi  
The Real Problem: Uncooperative Witnesses  
-----

[1](#)7. (SBU) Stankovic and War Crimes Prosecutor Vukcevic have told us that this lack of evidence and a failure of witnesses within the police to

[1](#)8. (SBU) The Special Prosecutor's Office requested our assistance in increasing cooperation with the Interior Ministry to encourage witnesses  
are working with the Prosecutor's office and the Interior Ministry's Internal Control office to help them set up an inquiry to determine whethe  
Comment  
-----

[1](#)9. (SBU) Without witnesses, the prosecutor's office is running out of legal options to pursue the perpetrators of the Bytyqi murders. Despite  
police feel safe testifying against colleagues. It takes a real commitment from Interior Ministry leadership -- namely Interior Minister Dacic  
We have made clear to Dacic that his cooperation on this initiative is vital.  
End Comment.  
BRUSH